The following motions lapsed as the time for the demand expired:

MR. G. PARAMESVARAN PILLAI:

111. To reduce the allotment of Rs. 2,666 for Establishment by Rs. 100.

MR. T. J. MATTHEW:

112. To omit the allotment of Rs. 4,000 for Law College Hostel.

MR. K. K. THOMAS:

113. To reduce the allotment of Rs. 10,146 for Law College and Hostel by Rs. 100.

MR. G. PARAMESVARAN PILLAI:

114. To reduce the allotment of Rs. 3,664 for Establishment by Rs. 100.

MR. P. K. NARAYANA PILLAI:

115. To omit the allotment of Rs. 1,044 for temporary establishment for temporary Sirkar Vakils.

MR. C. P. THOMAS:

116. To reduce the total allotment of Rs. 7·02 lakhs under Demand IX by Rs. 100.

MR. G. PARAMESVARAN PILLAI:

117. To reduce the total allotment of Rs. 7·02 lakhs under Demand IX by Rs. 100.

MR. M. N. PILLAI:

118. To reduce the total allotment of Rs. 7·02 lakhs under Demand IX by Rs. 100.

MR. A. J. JOHN:

119. To reduce the total allotment of Rs. 7·02 lakhs under Demand IX by Rs 100.

PRESIDENT: I take it that the House votes Rs. 7·02 lakhs under Demand IX—Administration of Justice.

The demand was carried and the grant was made.

DEMAND X—CENTRAL PRISON.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Sir, I beg to move for a grant not exceeding Rs. ·87 lakh under Demand X—Central Prison.

Motion 120.

MR. M. N. PILLAI (*Trivandrum*): Sir, I beg to move the following motion:

120. To omit the allotment of Rs. 300 for Honorarium to the Moral Instructor.

My object in making this motion is to call attention to the improper grant of Rs. 300 to the so-called moral instructor in the Central Prison. There is more than one principle involved in this. In the first place, any kind of remuneration, whether it be for moral instruction or for medical service, paid to a non-official visitor of the Jail is against all principles. It means a conflict of interest with duty. Secondly, a practising vakil and a President of the Panchayat Court is not the best man to impart moral instruction. Thirdly, the world is yet to know what claims Mr. K. S. Narayana Aiyar has for the work for which the late Dewan made a gift, except that he is a member of his own community.

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MR. K. K. THOMAS (*Kottayam*): May I know who this Mr. K. S. Narayana Aiyar is?

MR. M. N. PILLAI (*Trivandrum*): He is a local District Court Vakil.

MR. V. SUBBA AIYAR (*Nominated*) (*Deputy President*): I rise to a point of order. He is attributing motives to the appointment made by the late Dewan.

PRESIDENT: You cannot call in question the action of the late Dewan.

MR. M. N. PILLAI (*Trivandrum*): Sir, I withdraw the portion relating to the late Dewan.

I take it, Sir, that Mr. K. S. Narayana Aiyar is having fair practice at the bar; if that be so, the worries and troubles of the original court practice will make it impossible for him to instruct the convicts of the Central Jail. Moral instruction of this kind is bound to be very poor and we shall not be justified in spending any amount to remunerate worldly-minded people for utilising their spare moments in giving moral instruction to prisoners, which is a steady uphill work requiring constant application. I therefore move that this amount be omitted.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I am sorry I have to oppose the motion. I daresay my friend Mr. M. N. Pillai will grant that moral instruction to the inmates of the Central Prison is of benefit in reforming the habits of those people.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether this system of moral instruction and the grant of an honorarium for the same is followed in any other jail?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I understand from the Police Commissioner that it prevails in European countries.

MR. M. N. PILLAI (*Trivandrum*): May I know when this was introduced?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): It began in 1092.

MR. M. N. PILLAI (*Trivandrum*): May I know why this amount was not included in the Budget Estimates of 1097 and 1098?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): It began in 1092. In 1914, the Superintendent, Central Prison, wrote to the Government to say that the President of the Theosophical Society, Trivandrum, wrote to him that Messrs. R. Srinivasan M. A., C. S. Padmanabha Pillai and K. S. Narayana Aiyar had agreed to give moral and religious instruction to the convicts in the afternoon between 4 and 5 P. M. and that it would be a very good thing to give moral instruction. Ever since it is continuing.

MR. C. P. TARAKAN (*Kunnatnad*): യൂറോപ്യൻ രാജ്യങ്ങളിൽ മോറൽ ഇൻസ്ട്രക്ഷൻമാത്രം ശമ്പളം കൊടുക്കുന്നുണ്ടോ?

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MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): യൂറോപ്യൻ രാജ്യങ്ങളിലെ നടപ്പു ഇപ്പോൾ എന്നിക്കു പറയാൻ സാധിക്കയില്ല.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*); Who is giving moral instruction to the Christian prisoners?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Moral instruction can be given by any man whether he be Hindu, Christian or Mahomedan.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Religious instruction?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): The religious instruction given by Mr. Narayana Aiyar will perhaps benefit Hindu convicts only.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is any body giving religious instruction to the Christian prisoners?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): The Salvation Army sometimes go to the Central Prison to give instruction.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Do they get any remuneration or honorarium?

MR. K. K. THOMAS (*Kottayam*): May I know whether it is not possible to get gratuitous instruction from very competent people?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): It cannot be assumed that Mr. K. S. Narayana Aiyar is not a competent person.

MR. P. K NARAYANA PILLAI (*Ambalapuzha*): The other question remains unanswered, that is whether the Salvation Army is paid anything.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): They are not paid anything. So many questions came crowding in upon me. I was not able to know which question to answer.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): I am not blaming the Chief Secretary but I was simply bringing to his notice that the question remained unanswered.

PRESIDENT; Mr. Thomas wanted to know whether you cannot get gratuitous instruction.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*); Till 1096, instruction was being given free by Mr. K. S. Narayana Aiyar. Since 1096, a carriage allowance at the rate of one rupee per diem was paid to him till 1098.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Did he make a request for payment of the carriage allowance or was it paid voluntarily?

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MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Yes; he wrote to say that he was incurring out-of-pockets expenditure as he had to pay carriage hire. Then a modest sum of one rupee was allowed to him from 1096 to 1098. Afterwards, the Superintendent reported that these lectures were doing a lot of good to the inmates of the Central Prison; and the Government, in consideration of the good work that Mr. Narayana Aiyar was doing for the first two years, and also in consideration of the fact that he was paid only a small allowance of one rupee per diem, granted him an honorarium of Rs. 300 per annum. He has been doing this work very systematically and it is reported by the Superintendent that the inmates of the prison are receiving considerable benefit therefrom.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know how often he visits the prison?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Once a week, as his professional work, as pointed out by Mr. M. N. Pillai, would not afford him sufficient time and leisure to go every day. He goes on Sundays and gives his lectures. He has been giving these lectures not only to the inmates of the Central Prison but also to the boys of the Reformatory. For this he is not paid anything extra. If other gentlemen come forward to give free lectures to the inmates of the Central Prison, they are quite welcome.

MR. N. V. JOSEPH (*Parur*): Is every prisoner compelled to attend this moral instruction?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): No, there is no compulsion at all. The prisoners have taken very kindly to these lectures and, as seen from the reports of the Superintendent, they are also reforming their conduct in the Central Prison. From the Administration Report of 1099, I see that the number of jail offences has gone down.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): By how many, please? Is it by any considerable number?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Not very considerable. The number of offences recorded and punishments inflicted in 1099 is 121 as against 141 in the previous year.

MR. C. P. THOMAS (*Nominated*): May I know whether the visitors have made any observations on the matter?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): They have not made any observations on the subject.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): Are there not officers in the jail who are competent to give such moral instruction?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I do not think, as the jail is now staffed, that there are competent men among them.

MR. W. H. PITT (*Commissioner of Police*): Any convict?

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MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I do not know. Government have not enquired.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Quilon*): May I know why it is not made compulsory?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Because there is no rule in the Jail Code making it obligatory upon every convict.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Quilon*): When the Moral Instructor was appointed, why was not the rule introduced into the Code?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Because it was found that no compulsion was necessary.

MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencottah*): Is not the Jail Superintendent in a position to impart moral instruction?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I do not know. He has not been asked about it.

MR. N. V. JOSEPH (*Parur*): May I know whether the moral principles accepted by all the prisoners in the Central Jail are the same, so that we may have only one instructor?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Ethical principles cannot vary with the nature of every man. Therefore, to the principles lectured upon by Mr. K. S. Narayana Aiyar, the prisoners are trying to conform their conduct.

MR. K. K. THOMAS (*Kottayam*): Is the object of this honorarium to give some carriage allowance to the instructor?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Not exactly the carriage allowance. It is a sort of compensation to him for the trouble and the time involved in the matter. For these reasons, Sir, I beg to oppose the motion.

MR. M. N. PILLAI (*Trivandrum*): Sir, I am not convinced with the explanation of the Chief Secretary in this matter. We do not want a paid moral instructor to give instruction to the prisoners. We can get men who have renounced all worldly affairs, like the *sannyasis* of the Ramakrishna Mission to give free moral instruction to the convicts instead of appointing a man with so many other duties to perform as that of the Panchayat Court Judge, a District Court Vakil and a member of the Theosophical Society. I understand from the Chief Secretary that Salvation Army men give moral instruction and they are not given any remuneration for that. That is an invidious distinction shown. Under these circumstances, I press that this amount of Rs. 300 be omitted.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): I also support the motion of Mr. M. N. Pillai.

MR. M. N. PILLAI (*Trivandrum*): I press the motion to the vote of the House.

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The motion was put to the vote and carried, 25 voting *for* and 21 *against*.

MR. V. SUBBA AIYAR (*Nominated*) (*Deputy President*): I demand a poll.

A poll was taken with the following result: —

AYES—25.

1. Mr. P. Habeeb Mahomed	14. Mr. P. K. Narayana Pillai
2. ,, K. I. Joseph	15. ,, M. N. Pillai
3. ,, N. V. Joseph	16. ,, A. J. John
4. ,, S. Gnana Joshua	17. ,, R. Padmanabhan
5. ,, C. P. Kochukunju Pillai	18. ,, Changanachery K. Parameswaran Pillai
6. ,, A. K. Pillai	19. ,, S. Piraviperumal Pillai
7. ,, N. Kumaran	20. ,, G. Raman Menon
8. ,, T. Kumara Pillai	21. ,, M. Sivatanu Pillai
9. ,, Tariatu Kunjikomman	22. ,, M. Subrahmanya Pillai
10. ,, X. G. Lopez	23. ,, C. P. Tarakan
11. ,, K. Madhavan Pillai	24. ,, K. K. Thomas
12. ,, T. J. Matthew	25. ,, C. N. Tuppan Nambutiri
13. ,, Kallur Narayana Pillai	

NOES—21.

1. Mr. I. C. Chacko	12. Mr. W. H. Pitt
2. ,, J. B. Cook	13. Mrs. M. Poonnen Lukose
3. ,, R. Dhanukoti Pillai	14. Mr. T. P. Ramasubba Aiyar
4. ,, K. George	15. Rao Bahadur K. V. Rangaswami Aiyangar
5. ,, C. Kerala Varma Koil Tampuran	16. Mr. S. C. H. Robinson
6. Dr. N. Kunjan Pillai	17. ,, J. Stephenson
7. Mr. K. C. Mammen Mappillai	18. ,, V. Subba Aiyar
8. ,, K. Narayanan Pandalay	19. ,, S. Subrahmanya Karayalar
9. ,, K. V. Natesa Aiyar	20. ,, C. P. Thomas
10. ,, N. Nilakanta Pillai	21. ,, A. J. Van Ross
11. ,, Kayalam Paramesvaran Pillai	

The motion was declared carried, 25 voting *for* and 21 *against*.

Motion 121.

MR. A. K. PILLAI (*Karunagapalli*): Sir, I beg to move the following motion:

121. To reduce the allotment of Rs. 76,653 for Central Prison by Re. 1.

I need hardly say that, from the magnificent sum of Re. 1, the reduction of which I am just proposing, you might very easily see that it is only a token motion. I do not want to take away any substantial sum from the allotment to the Central Prison. I sought this as an opportunity for bringing certain vital considerations before the House, for introducing certain measures of reform in the jail administration. Unfortunately, our jail administration, as in other cases, such as judicial administration and other administrations, is shaped on the model of the

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British Government. Notoriously enough, the jail administration in British India is far from being satisfactory. Just five days ago from to-day and from now, I believe, in the House of Lords, Lord Birkenhead was constrained to admit that the disclosures in connection with a case regarding the conditions in one of the Punjab Jails were really disquieting and he promised that the Government will go into the matter immediately and very seriously. It is really a pity that persons who are really the products of the social evils and of the environments that the State and the society have been responsible in producing, that these prisoners, once they are inside the high walls of the jail, are treated as a special species of animals, animals who deserve no better treatment than the most wild beasts. The jail, instead of being considered as a place for reform, as a reformatory agency for improving their moral and mental outlook, is considered to be, in the matter-of-fact world, as we see to-day, a place for torture and pain. It has been denounced by more than one reformer, not only in India but also outside, that the Indian jails are virtually hells!

Unfortunately, as I said before, our jail administration is modelled on the British Indian jail administration. But I do not at all suggest thereby that the conditions of jail life in the Central Prison are so bad or so dismal as those obtaining outside. It is far different from what obtains in British India. But it is modelled on the British system in this respect with the result that the principles underlying the administration are vitiated at their very source. I would draw the attention of this House to a resolution passed very recently by the International Prison Congress presided over by the Lord Chief Justice in England. A resolution passed by that body is to the effect that accused persons and convicted offenders should be physically and mentally examined by specially qualified medical practioners and that the Government should establish necessary services for the same. This recommendation I should consider as a recognition of the principle that the convicted persons ought to be treated as patients of mental and moral diseases of which they themselves are victims as well as society. There are two classes of prisoners generally in jail, one that revolts against the state of affairs and the organised society, namely the Government, and the other that, because of economic and other circumstances, has got to seek certain means which are not within the law. So they have to be there. Instead of punishing the people who are really responsible for the creation of these circumstances, namely the Government and the society, the Education Department and the Excise Department, instead of going to the root of the matter, we punish the helpless people who happen to be in the minority; and therefore, they happen to be in the jail. Instead of approaching them in a humane spirit and in a rational manner, we approach them as if they were people who have done something against society and treat them in a most vindictive manner.

Sir, it may not be a revelation to many of the members here that I have got some experience of jail life myself. But in fairness to the

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authorities and to myself, I should say that the treatment accorded to me and my colleagues was exemplary. As a matter of fact, it was with a most melancholy feeling that we happened to be there, seeing the far different treatment that was accorded to people who happened to be there perhaps in a most helpless manner. We went there deliberately and to bring home to the authorities and the public certain evils that existed and which required reform. So *we* courted jail life deliberately. But there were people who were there out of love for their family. I know people who were sent to jail because they stole certain things. If only we go into the circumstances of each case, we can find that, after all, they did so out of humane considerations; when they saw their family, their wife and children, starving and when they found that the next door neighbour was in affluent circumstances, they went and stole a cocoanut. It was against the law and they were sent to jail. Many people thus went there under circumstances over which they had no control, under circumstances which were the creation not of themselves but, I would repeat, of the Government and the society, the Education Department and the Excise Department. They went there as victims and yet they were treated in the most inhuman manner.

This jail reform is not a particular matter which relates to this State alone but it is a universal cry that is being only gradually recognised. I am afraid that we have deviated from the right principle so far that, when I mention these things, it might seem rather impracticable. That is why I was quoting what the Lord Chief Justice himself admitted five days ago in London. He said that this is a triumph to the advocates of prison reform. I mean the following recommendation made by the International Prison Congress:

> "This is a triumph, so far as it goes, to the advocates of prison reform who hold that crime is a form of disease of which the criminal has to be cured, instead of his being merely punished in a vindictive spirit by the State, and that prisons should become more and more reformatory agencies engaged on the humane mission of mental reform rather than houses of torture and pain. The Congress also expressed the view that institutions on such lines as those recommended would help to determine the biological and sociological causes of criminality."

But without considering any of these items, without considering any of these principles, we simply hand over the prisoners to people who do not know that they are human beings or that they deserve better treatment. We appoint the Superintendent and Jailors merely from the point of view of physical dimensions. If we find that they are fit enough for the police, we send them to supervise jails, as well. We do not send them there because they know the actual mentality of the criminals. They are absolute strangers to that science. They only know that these people are entrusted to be punished in season and out of season. Once these prisoners are inside that fortress, they become absolutely helpless. No visitor goes there. Even if there are non-official visitors, they go and chat with the Superintendent and come away. Even when they want to see these prisoners, the Superintendent, a warder or a jailor accompanies the non-official visitors and hence they will not be able to get at the truth or the real grievance of the prisoners. When non-official visitors visit the Prison, they are often accompanied by the Superintendent and other officials of the Prison whom

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the prisoners dread most. The prisoners naturally will wish to say something; but fearing that they will have to meet with consequences of a very serious nature, they will not possibly say anything. They remain silent. If they say anything at all, that will be to the effect that they are accorded good treatment in prison. Therefore, I suggest that this system be modified. When a responsible non-official visits the Prison, he should be allowed to have a free talk with the prisoners there, so that he might know of the treatment which is offered to them. This view of mine is supported by Lord Olivier in the House of Lords. He has suggested that, when visitors go to prison, the Government of India should see that the non-official visitors are accompanied by two warders; and Lord Birkenhead, on behalf of the Government of India, has promised to consider the suggestion. I think this is quite proper. If only we go to Prisons, we should be allowed to know what the prisoners think of their condition, and for this we should have a free talk with the prisoners. Often, there may be grievances also. As the people like the jailors and the warders who superintend are there when these non-official visitors visit the cells, the prisoners cannot say anything and grow desperate. That is why, during the short space of 4 months during which I was there, more than two suicides were committed by the prisoners absolutely due to despair. They could not have their grievances ventilated. They had no recourse whatever to official visitors like the District Magistrates or other officers who visit the Prison frequently. Nothing could save them from the situation. I know of an instance where fifty to hundred persons were huddled together in a room surrounded and fortified by iron walls and forty warders. I know this because I was an eye-witness. I could not but witness it. It was near my door. But I could do nothing. To the non-official visitors, they will appear happy and very contented. They will appear as if they have no personal grievances. They will say that they are in the Prison a very happy set of men who are living as if they are in their own homes. But as a matter of fact, it is not so.

I may be permitted to quote the instance of one Aliyar who is a typical product of our jail life. Aliyar was a young man of about 30 years. He was convicted at Attungal and I had the opportunity of seeing him after he was five months in prison. I saw him absolutely toothless, limbless. He was mad. He abused all people right down and I fear that his senses have gone wrong. I am sure that many of the members of this Council must have experienced the fine literature of abuse that he commands and that he pours on the people. He is at war with the whole society. I am sure that Mr. Changanachery Paramesvaran Pillai fell a victim to his abuse once. Absolutely no hope in such a man. He was strong only five months ago; but now he is destitute, a wreck bereft of his teeth and limbs. I am sure that this condition was brought upon him only by his experience in Jail. By the time that his period is over, we cannot expect any reform in him. He may possibly not get out of the Jail at all.

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MR. KAYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): Does the member think that the non-official visitors will be willing to see this prisoner unattended and have a talk with him?

MR. A. K. PILLAI (*Karunagapalli*): Yes. Why not? He is in his cell, that is to say, in a solitary cell for the past two months. Imagine a human being confined to a solitary cell for two months! Do you think that any particular individual can seriously believe that it would have cowed the man? That would only make the man a desperate individual and he would be prepared to do anything.

MR. W. H. PITT (*Commissioner of Police*): Did Mr. A. K. Pillai offer to go himself to visit one of these prisoners in the cell?

MR. A. K. PILLAI (*Karunagapalli*): No. It was made impossible for me to go and approach him. He was at war with the whole society.

I say, the system is responsible for all these. The jail administration as it is to-day, is more inhuman than anything else. There must be a broad outlook. We must consider the prisoner as a patient and give him such medicines as will improve his mental disease. There is no use giving him moral instruction.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): May I know why this Aliyar was particularly selected for this inhuman treatment?

MR. A. K. PILLAI (*Karunagapalli*): What I was told was that he happened to be a very troublesome man in the jail. He beat the Jailor. *That is exactly as I say.* If only my attitude was rightly understood, the fact that Aliyar beat the Jailor shows that there was something wrong with the man mentally. He was considered mad. When people suffering from physical disease abuse others in a delirium, we do not consider them mad. We approach them with a kindliness of manner and do not treat them cruelly as if they are enemies of society.

I have dealt long enough with the general system that should be prevalent in all prisons and I have been citing the words of the Lord Chief Justice of England and Lord Olivier. I do not want to take up the time of the House but I might be allowed to make one or two specific suggestions as to the methods that should be followed in the Central Prison in Trivandrum.

Firstly, with regard to the post-mortem examination. The post-mortem examination conducted in the Central Prison is thoroughly unsound in policy, because people who are convicted are asked to cut open the body of men. Many of the members over here might have witnessed this process of post-mortem examination. The chest of the dead body is cut open by an axe and that is generally done by convicts. I am one who believes in the reaction if these people are allowed to do this sort of work. There will be a reaction which will make them blunt to all finer feelings.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is there no medical officer to do this?

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MR. A. K. PILLAI (*Karunagapalli*): There is a medical officer; but the actual cutting open is done by these convicts.

MR. K. K. THOMAS (*Kottayam*) Is it done by an axe?

MR. A. K. PILLAI (*Karunagapalli*): I may say the body is taken to a convenient place inside the Jail. The doctor sits there and one or two convicts are called upon and they are asked to do the work. They do it with a small axe.

MR. N. V. JOSEPH (*Parur*): Why should it not be done by a convict if it has to be done by somebody else?

MR. A. K. PILLAI (*Karunagapalli*): It should of course be done by some other man. In the case of the prisoner, there is a criminal instinct in him even already. That man should not be selected. But the man who can and will take it in a scientific attitude must be chosen. But people who are called upon to do this business, which I do not hesitate to characterise as not only very dirty but very dangerous and detrimental to their moral sense, do not take it in that scientific manner. When they return from prison or are released, they treat their children with a cruelty that is little less than abominable. They do so because they were trained in doing such bad acts.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Was Mr. A. K. Pillai present at any of these post-mortem examinations?

MR. A. K. PILLAI (*Karunagapalli*): I was. I should not say that I had seen this, because I do not know whether the rules allow me to be a witness. But that was the fact. I was able to see these convicts cutting the dead body, poor people who cannot view it in a scientific spirit. What would be the effect of this upon them? I would suggest that the post-mortem examination should not be conducted in this way. And I do not know what the exigencies of law are in this matter. But I will suggest to the Government that these post-mortem examinations should not be conducted in the manner now done. The doctors have to certify in what manner and of what disease the person died.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): The cause of death must be discovered.

MR. A. K. PILLAI (*Karunagapalli*): Then the solitary cell system must be abolished. The prisoners are given chains. They tie these chains to the legs and they stand the whole night. Sometimes they are given this punishment for two or three days continuously. These things are not recorded. The Jailor or some other inferior officer often gives these punishments.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Was Mr. A. K. Pillai a witness to this also?

MR. A. K. PILLAI (*Karunagapalli*): I could not be there for days and nights together. (*Laughter*). I am suggesting to the Government to make enquiries to see whether any of these things had really existed. I am only supplying them with a certain clue to the situation which will enable them to plan out Jail reform in the best possible manner.

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Another thing I would suggest is ——

PRESIDENT: You have already exceeded your time. Your speech was so interesting to me that I did not notice how time passed.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Even though my friend Mr. A. K. Pillai proposes a reduction of Re. 1 only, I think I must oppose the motion. Of course, with regard to the Jail administration the ideas which he has called attention to are indeed very good.

MR. N. V. JOSEPH (*Parur*): That is the idea that these convicts must be dealt with as patients and certainly not as a real criminals, which proposition is little recognised.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Will the Government be pleased to appoint a medicial officer as Superintendent of the Central Prison?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): It is a moral disease; it is not a physical one.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): It is a mental disease.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Moral has reference to mental conditions and circumstances.

So far as our Central Prison is concerned, I may say that the administration prevalent there is not much to blame.

MR. A. K. PILLAI (*Karunagapalli*): I showed that was typical.

MR. K. NARAYANAN PANDALAY (*Ag Chief Secretary to Government*): The system is not quite satisfactory in British India according to Mr. A. K Pillai.

PRESIDENT: I think Mr. A. K. Pillai referred to a particular prison in the Punjab. I do not believe that he referred to the British Indian Jail administration as a whole.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I think Mr. A. K. Pillai referred to the British Indian Jail Administration as a whole and our Central Prison system modelled on the British Indian system was said to be unsound. Comparatively our system is better. If the post-mortem examination is done by convicts, certainly it should be deprecated and I daresay Government will have to enquire into the matter.

With regard to visitors, non-official gentlemen visit the Prison and they are not allowed to talk to the convicts for a very long time, as the rules now stand. But if that would be good in the interests of the prisoners concerned, there would be no objection to relax the rules a little, but that again, I think, requires very careful consideration before the rules could be altered, as there is the serious risk of indiscipline.

MR. C. P. THOMAS (*Nominated*): May I know whether there are non-official visitors to the Central Prison?

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MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): There are non-official visitors.

MR. M N. PILLAI (*Trivandrum*): May I know the names of the non-official members?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): I do not remember the names of all the members; Mr. M. K. Narayana Pillai, Barrister-at-law, is one.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Mr. K. Anantanarayana Aiyar is another.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): Mr. G. Parameswaran Pillai, if I remember right, is the third.

MR. C. P. THOMAS (*Nominated*): Are these non-official visitors allowed to superintend the work of the Jail staff?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*): They are allowed to inspect. They can call for information on several points and the jail authorities have to supply information.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): Has the Chief Secretary nothing to say regarding the allegations made by Mr. A K. Pillai about the treatment meted out to a certain prisoner?

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*) Mr. A. K. Pillai would have done a real service to the country, had he sent a report to Government in the matter.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): Will the Government call for information?

MR. A. K. PILLAI (*Karunagapalli*): The case appeared in the newspapers.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*) I do not know.

MR. A. K. PILLAI (*Karunagapalli*): It is believed that the officer of the Government read the papers.

MR. K. NARAYANAN PANDALAY (*Ag. Chief Secretary to Government*) My friend, the law member, assures me that the matter was enquired into and disposed of.

I do not wish to make any more remarks on this subject and I trust under the circumstances, that Mr. A. K. Pillai will find his way to withdraw the motion.

MR. A. K. PILLAI (*Karunagapalli*): Now that I have achieved my object, namely that Government have promised to consider the matter in the interests of humanity as well as the interests of those who are now suffering, I withdraw the motion.

PRESIDENT: May I take it that the House permits the motion to be withdrawn?

The motion was, by leave, withdrawn.

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Motions 122 and 123.

The following motions were not moved

MR. K. MADHAVAN PILLAI :

122. To reduce the allotment of Rs. 76,653 for Central Prison by Rs. 100.

MR. M. N. PILLAI:

123. To reduce the allotment of Rs. 76,653 for Central Prison by Rs. 100.

PRESIDENT : I now put to the vote of the House, Demand X - Central Prison, for Rs. 87 lakh *minus* Rs. 300. I take it that the House sanctions the demand.

The grant was made.

DEMAND XI - POLICE.

MR. W. H. PITT (*Commissioner of Police*): Sir, I move for a grant not exceeding Rs. 5·55 lakhs under Demand XI Police.

Motions 124 to 126.

The following motions were not made:

MR. G. RAMAN MENON :

124. To reduce the allotment of Rs. 12,582 under Establishment by Rs 480.

MR. G. RAMAN MENON :

125. To reduce the allotment of Rs 1,800 for upkeep of motor car by Rs. 300.

The following motion was not made, the member being absent :

MR. K. P. NILAKANTA PILLAI :

126. To reduce the allotment of Rs. 2,928 for Assistant Superintendents' clerks by Rs. 1,464.

Motion 127.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, I beg to make the following motion:

127. To reduce the allotment of Rs. 3,13,723 for Establishment under Inspectors' Offices by Rs. 7,238.

Sir, I move this motion for two reasons; one is, it is not right to ask the whole State to pay for the protection of Trivandrum alone, and the other reason is, it is not necessary. If it is right, there is no meaning in local self-government. The citizens within the municipality must find money for themselves to meet expenses pretaining to them exclusively. The Trivandrum Municipality has been treated with partiality; and it is not proper. Though the citizens of the town do not want him, a paid official President is saddled upon them by Government. That means an expense of a respectable sum from the general Treasury. There are hospitals benefiting mostly the townsmen and they are maintained at a great cost by the Government at the expense of the general taxpayer. Even the elementary responsibilities of the municipality are taken over by the Government as in the matter of lighting and maintenance of roads—why, all work except sweeping and scavenging. In addition to this, the mofusilites

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